

REMARKS/ARGUMENTS

This is a Response to the Office Action mailed February 17, 2006, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire May 17, 2006. Claims 8-15, 19, 20, and 22-26 will be pending upon entry of the present amendment. Claims 8, 13, 15, 20, and 22 have been amended, and claim 21 is canceled.

Objections

The specification was objected to due to an informality which is corrected in the present amendment.

Claims 9, 13-15, 19, and 23-25 were objected to due to various informalities. These informalities have been corrected in the present amendment.

Rejections Under 35 U.S.C. §§ 102 and 103

The Examiner has rejected claims 8-11, 13-15 and 19-26 under 35 U.S.C. § 102(b) as being anticipated by (US 3,851,986). Claims 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daughtry in view of Korb et al. (US 4,918,820).

In the remarks that follow, when citing to specific text from Daughtry, column numbers and line numbers will be separated by a colon, e.g. 4:22.

Claim 1 recites, *inter alia*, "a manually-releasable fastening device adapted to releasably engage the handle and the blade such that, while the fastening device is released, the blade is removable from the handle and the first side is separable from the second side." Daughtry fails to anticipate at least this limitation of claim 8.

Turning first to the specification, the term *manually-releasable* is clearly defined, beginning at page 4, line 8:

As used herein, a manually-releasable fastening device or manipulable device includes a device that may be operated by using human force rather than mechanical force. Human force includes operation or control by skilled use of hands. For example, a manually-releasable fastening device may include a

fastener adapted to be released without the use of machines or tools, such as, but not limited to, *screwdrivers*, wrenches, pliers, etc.
(Emphasis added.)

Referring now to Daughtry's Figures 2, 5, and 6, it can be seen that the locking member 24, cited as being analogous to the fastening device of claim 8, is manually releasable to the extent that by backing off the member 24 the implement 12 can be rotated or removed (see, for example, 3:5-45). The Examiner states that "while the fastening device (24, 34, 40) is released, ... the first side (14) is separable from the second side (16) as claimed." Applicant strongly disagrees. Even when the member 24 is backed off completely, as shown in Figure 6, the handle portions (14 16) are still coupled together by the member 24, and thus are not separable.

The member 24 is provided with a screw 40 that serves "as a limit or stop for backing off rotation of the lock member..." (2:41). One of ordinary skill in the art would recognize that the handle portions 14 and 16 cannot be separated unless the locking member is completely removed from the device, and that the locking member cannot be completely removed *manually*, but only by removing the screw 40, which is configured to be removed by a screwdriver (see Figures 2, 5, and 6). Thus, the locking member is not *manually*-releasable such that the handle portions 14 and 16 are separable, as would be necessary for Daughtry to properly anticipate claim 8. Accordingly, claim 8 is allowable over Daughtry, together with dependent claims 9-15.

Claim 10 recites, "wherein release of the fastening device enables rotation of the first side relative to the second side." Daughtry fails to anticipate this limitation. Daughtry states, "[l]ongitudinal alignment of plate 16 on the body portion is accomplished by locator pins 23 one on each side of screw 19, FIGS. 3 and 7, fitting in suitable apertures in portions 14 and 16" (2:18-22). Referring to Figure 7, it can be seen that pins 23 serve to lock the portions 14 and 16 of the handle in alignment, such that, even if the fastening member were completely removed, let alone simply released, the portions would not be rotatable relative to each other. Accordingly, claim 10 is allowable on its own merits, apart from depending from an allowable base claim.

Claim 19 recites that “that adjustment of the manipulable element relative to the retaining element enables removal of the blade from the handle and separation of the first side from the second side.” Daughtry fails to anticipate at least this limitation of claim 19.

To the extent that Daughtry’s locking member 24 includes a *manipulable* element(see definition previously quoted), it cannot be adjusted to an extent sufficient to enable separation of the portions 14 and 16. Accordingly, Daughtry fails to anticipate each element of claim 19, which is thus allowable thereover.

Claim 20 has been amended to incorporate the limitations of claim 21, and recites, *inter alia*

...the first side of the handle being configured to be disengageable from the retention post, and rotatable, with respect to the second side of the handle, about a first axis located at a second end of the handle, between an engaged position, in which the first side is engaged with the retention post, and a disengaged position, in which the first side is disengaged from the retention post....

It is clear from a review of Daughtry’s Figure 7 and text at 2:18-22, in which the locator pins 23 are shown and described, that Daughtry does not teach any condition under which the portions 14 and 16 are rotatable with respect to each other. Daughtry therefore fails to anticipate each limitation of claim 20. Accordingly, claim 20 is allowable over Daughtry. Dependent claims 22-26 are also allowable as dependent claims of allowable claim 20.

Claim 23 recites, *inter alia*, “while the first side of the handle is rotated to the engaged position and engaged with the retention post, the receptacle of the blade cannot be moved between engaged with, and disengaged from, the retention post.” Daughtry fails to anticipate at least this limitation of claim 23. In order to remove Daughtry’s implement from the handle, the locking member is backed off as shown in Figure 5, at which point the implement can be removed (3:18-22). Both portions of the handle remain engaged with the locking member throughout the process. Claim 23 is therefore allowable over Daughtry on its own merits.

Because the remaining claims depend from the allowable independent claims, and also because they include additional limitations, such claims are likewise allowable. If the

undersigned representative has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner is encouraged to contact Mr. Bennett by telephone at (206) 694-4848 to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is encouraged to contact Mr. Bennett by telephone to expeditiously correct such informalities.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read "H. Bennett II", is written over a horizontal line.

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